

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

BOEHRINGER INGELHEIM PHARMACEUTICALS INC., et al.

(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
Megan E. Dellinger; Morris, Nichols, Arsht & Tunnell LLP
1201 N. Market Street; P.O. Box 1347; Wilmington, DE 19899
(302) 658-9200

DEFENDANTS

BIOCON LIMITED, BIOCON PHARMA, INC. and BIOCON PHARMA LIMITED

County of Residence of First Listed Defendant
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

☐ 1 U.S. Government Plaintiff

☒ 3 Federal Question (U.S. Government Not a Party)

☐ 2 U.S. Government Defendant

☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

| | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT
☐ 110 Insurance
☐ 120 Marine
☐ 130 Miller Act
☐ 140 Negotiable Instrument
☐ 150 Recovery of Overpayment & Enforcement of Judgment
☐ 151 Medicare Act
☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)
☐ 153 Recovery of Overpayment of Veteran's Benefits
☐ 160 Stockholders' Suits
☐ 190 Other Contract
☐ 195 Contract Product Liability
☐ 196 Franchise

TORTS

PERSONAL INJURY
☐ 310 Airplane
☐ 315 Airplane Product Liability
☐ 320 Assault, Libel & Slander
☐ 330 Federal Employers' Liability
☐ 340 Marine
☐ 345 Marine Product Liability
☐ 350 Motor Vehicle
☐ 355 Motor Vehicle Product Liability
☐ 360 Other Personal Injury
☐ 362 Personal Injury - Medical Malpractice

PERSONAL INJURY
☐ 365 Personal Injury - Product Liability
☐ 367 Health Care/Pharmaceutical Personal Injury
☐ 368 Asbestos Personal Injury Product Liability
PERSONAL PROPERTY
☐ 370 Other Fraud
☐ 371 Truth in Lending
☐ 380 Other Personal Property Damage
☐ 385 Property Damage Product Liability

REAL PROPERTY
☐ 210 Land Condemnation
☐ 220 Foreclosure
☐ 230 Rent Lease & Ejectment
☐ 240 Torts to Land
☐ 245 Tort Product Liability
☐ 290 All Other Real Property

FORFEITURE/PENALTY
☐ 625 Drug Related Seizure of Property 21 USC 881
☐ 690 Other
LABOR
☐ 710 Fair Labor Standards Act
☐ 720 Labor/Management Relations
☐ 740 Railway Labor Act
☐ 751 Family and Medical Leave Act
☐ 790 Other Labor Litigation
☐ 791 Employee Retirement Income Security Act
IMMIGRATION
☐ 462 Naturalization Application
☐ 465 Other Immigration Actions

BANKRUPTCY
☐ 422 Appeal 28 USC 158
☐ 423 Withdrawal 28 USC 157
PROPERTY RIGHTS
☐ 820 Copyrights
☐ 830 Patent
☒ 835 Patent - Abbreviated New Drug Application
☐ 840 Trademark
SOCIAL SECURITY
☐ 861 HIA (1395ff)
☐ 862 Black Lung (923)
☐ 863 DIWC/DIWW (405(g))
☐ 864 SSID Title XVI
☐ 865 RSI (405(g))
FEDERAL TAX SUITS
☐ 870 Taxes (U.S. Plaintiff or Defendant)
☐ 871 IRS—Third Party 26 USC 7609

OTHER STATUTES
☐ 375 False Claims Act
☐ 376 Qui Tam (31 USC 3729(a))
☐ 400 State Reapportionment
☐ 410 Antitrust
☐ 430 Banks and Banking
☐ 450 Commerce
☐ 460 Deportation
☐ 470 Racketeer Influenced and Corrupt Organizations
☐ 480 Consumer Credit (15 USC 1681 or 1692)
☐ 485 Telephone Consumer Protection Act
☐ 490 Cable/Sat TV
☐ 850 Securities/Commodities/Exchange
☐ 890 Other Statutory Actions
☐ 891 Agricultural Acts
☐ 893 Environmental Matters
☐ 895 Freedom of Information Act
☐ 896 Arbitration
☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
☐ 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)

☒ 1 Original Proceeding

☐ 2 Removed from State Court

☐ 3 Remanded from Appellate Court

☐ 4 Reinstated or Reopened

☐ 5 Transferred from Another District (specify)

☐ 6 Multidistrict Litigation - Transfer

☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
35 U.S.C. § 271

Brief description of cause:
Patent Infringement

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):
Related to Pfizer Inc., et al. v. MSN Laboratories Private Ltd., et al. being filed contemporaneously.
JUDGE Colm F. Connolly (for D. Del. cases) DOCKET NUMBER See Attached List

DATE
04/30/2025

SIGNATURE OF ATTORNEY OF RECORD
/s/ Megan E. Dellinger

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

LIST OF RELATED CASES

Boehringer Ingelheim Pharmaceuticals Inc., et al. v. Granules India Limited;
C.A. No. 24-1091 (CFC) (D. Del.)

Boehringer Ingelheim Pharmaceuticals Inc., et al. v. Granules India Limited;
C.A. No. 24-753 (CFC) (D. Del.)

Boehringer Ingelheim Pharmaceuticals Inc., et al. v. Mylan Pharmaceuticals Inc., et al.;
C.A. No. 1-24-cv-00082 (N.D. WV)

Boehringer Ingelheim Pharmaceuticals Inc., et al. v. Apotex Inc., et al.;
C.A. No. 23-685 (CFC) (D. Del.)

Boehringer Ingelheim Pharmaceuticals Inc., et al. v. Hetero USA Inc., et al.;
C.A. No. 23-048 (CFC) (D. Del.)

Boehringer Ingelheim Pharmaceuticals Inc., et al. v. HEC Pharm Co., Ltd., et al.;
C.A. No. 2-20-cv-02545 (E.D. Pa.)

Boehringer Ingelheim Pharmaceuticals Inc., et al. v. Aurobindo Pharma Ltd.;
C.A. No. 5-20-cv-00023 (N.D. WV)

Boehringer Ingelheim Pharmaceuticals Inc., et al. v. Mylan Pharmaceuticals Inc., et al.;
C.A. No. 1-20-cv-00019 (N.D. WV)

Boehringer Ingelheim Pharmaceuticals Inc., et al. v. Macleods Pharmaceuticals Ltd., et al.;
C.A. No. 19-1772 (CFC) (D. Del.)

Boehringer Ingelheim Pharmaceuticals Inc., et al. v. HEC Pharm Co., Ltd., et al.;
C.A. No. 3-15-cv-5982 (E.D. Pa.)

Boehringer Ingelheim Pharmaceuticals Inc., et al. v. Mylan Pharmaceuticals Inc., et al.;
C.A. No. 1-15-cv-00145 (D. NJ)